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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/531,381

04/15/2005

Mats Andersson

XA-10311

6521

181 7590 04/03/2009

MILES & STOCKBRIDGE PC  
1751 PINNACLE DRIVE  
SUITE 500  
MCLEAN, VA 22102-3833

EXAMINER

COLILLA, DANIEL JAMES

ART UNIT

PAPER NUMBER

2854

NOTIFICATION DATE

DELIVERY MODE

04/03/2009

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ipdocketing@milesstockbridge.com  
sstiles@milesstockbridge.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/531,381	<b>Applicant(s)</b> ANDERSSON, MATS	
	<b>Examiner</b> Daniel J. Colilla	<b>Art Unit</b> 2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 January 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to the claims have been considered but are moot in view of the new slightly modified ground(s) of rejection.

Applicant argues that Noguchi gives no indication that the disclosed stapler is electrically operated and that the rocker portion 12 of Noguchi could be activated by an external force.. After a careful review of Noguchi, it is agreed that there is no explicit indication that the stapler is electrically operated. Thus the below rejection has been modified to reflect this. However, it is also noted that Noguchi cites JP 02-297493 as conventional art in his disclosure. This reference is in the same family as US 5,100,119 to Komada *et al.* Komada *et al.* teaches an electrically powered stapler with motor 43 as shown in Fig. 3. Noguchi's improvement over the prior art has to do with mounting the stapler so that it may be pivoted to a position allowing easier replacement of a needle cartridge. There is no mention of any different activation system.

Regardless, the below rejection has been modified to show that Takada teaches an electrically powered stapler and that it would have been obvious to combine this teaching of Takada in addition to the electrical connection teaching of Takada.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

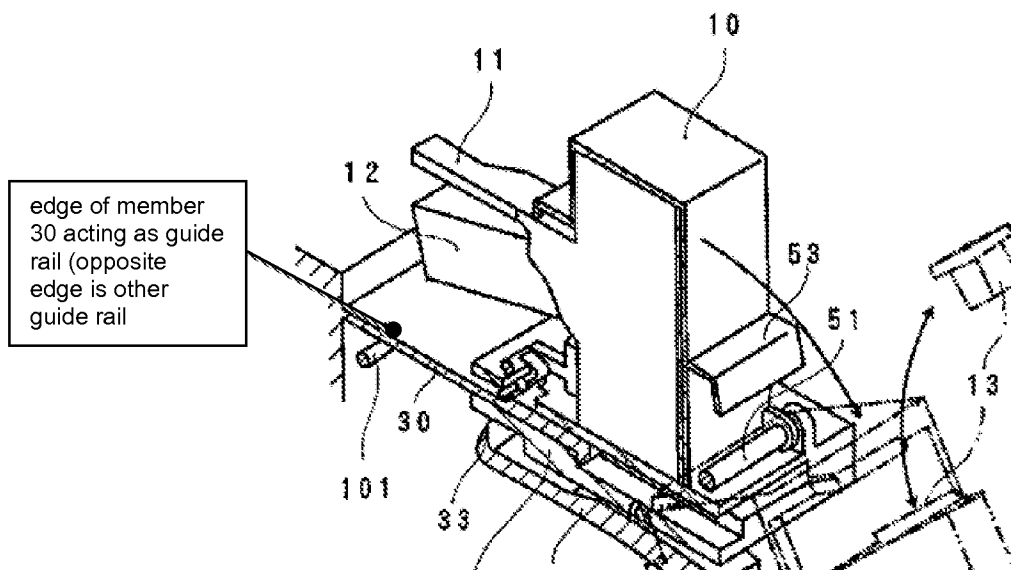
(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

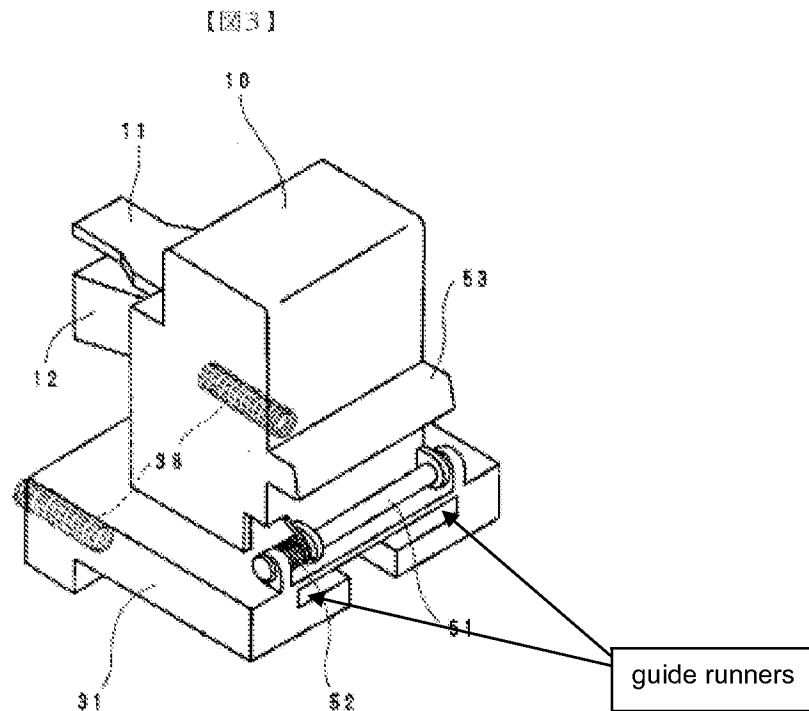
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3. Claims 1, 3, 4 and 6-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Noguchi (JP 9-183560) in view of Takada (JP 2001-010764).

With respect to claim 1, Noguchi discloses the recited mounting arrangement for attaching a stapler to photocopying equipment except that Noguchi is silent on any electrical mounting devices and is silent on whether the stapler is electrically powered. Noguchi discloses a mounting arrangement for attaching a stapler 1 mechanically to a photocopying equipment 100 including a mechanical mounting device 30,31,32,101 for mechanically connecting the stapler 1 to the photocopying equipment 100, and including a first attachment member 31 provided on the stapler 1 and a second attachment member 30,101 provided on the photocopying equipment 100 (as shown in Fig. 2 of Noguchi). The second attachment member 30,101 is provided with guide rails as shown below in the Figures taken from Figs. 3 and 7 of Noguchi:

【図7】





The edges of member 30 (integral with the second attachment member 30) act as rails in the guide runners (integral with first attachment member 31). The stapler 1 is mounted to the photocopying equipment 100 as shown in Figure 2 of Noguchi such that the guide rails and guide runners engage with each other.

Takada teaches an electrical mounting device 415 for electrically connecting the stapler to a power supply as shown in Figs. 5-6 of Takada.

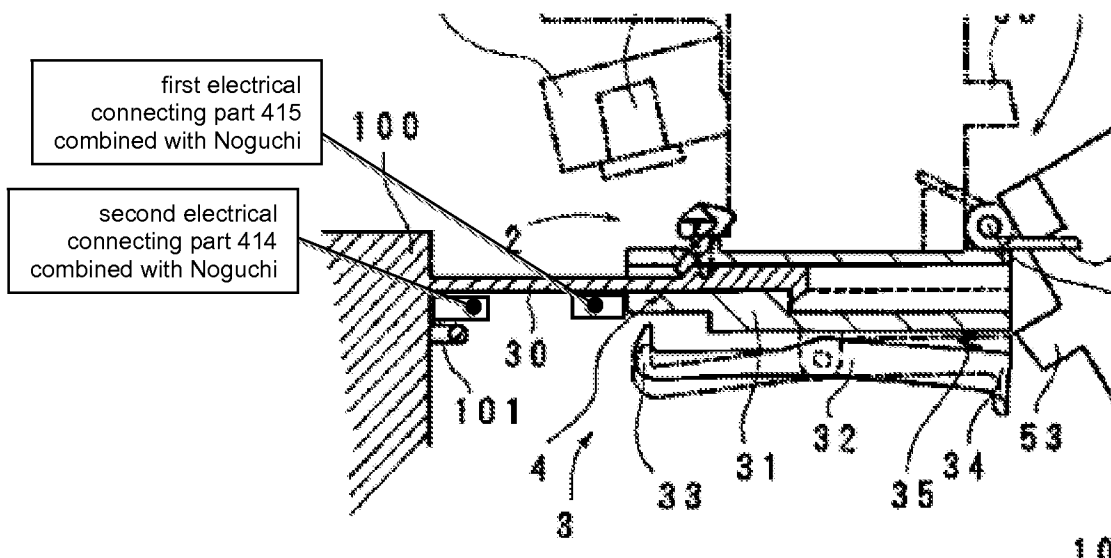
In the combination of Noguchi and Takada it would have been obvious to have the electrical connection part 415 (taught by Takada) form an integrated unit with the mechanical mounting device 31,32 (disclosed by Noguchi) disposed to make an electrical mounting device 414,415 connect the stapler with power of the photocopying machine since both Noguchi and Takada teach a sliding of the stapler towards a photocopying apparatus allowing an end of the stapler to abut the photocopying apparatus and make a plug electrical connection as taught by Takada. It

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would have been obvious to combine the teaching of Takada with the stapler mounting device disclosed by Noguchi for the advantage of an electrically powered stapler that does not require manual power.

With respect to claim 3, the mechanical mounting device includes a snap-action latch 32 which secures the first attachment member 31,32 to the second attachment member 30,101.

With respect to claims 4 and 6, in the combination of Noguchi and Takada it would have been obvious to have a first electrical connection part 415 (as taught by Takada) of the electrical mounting device attached to an end of the first attachment member 31,32 (disclosed by Noguchi) and a second electrical connecting 414 (as taught by Takada) part attached to the second attachment member 30,101 (disclosed by Noguchi) since the sliding motion taught by each of Takada and Noguchi would result in a plug connection between 31,32 and 30,101 as shown below in the Fig. taken from Fig. 1 of Noguchi:

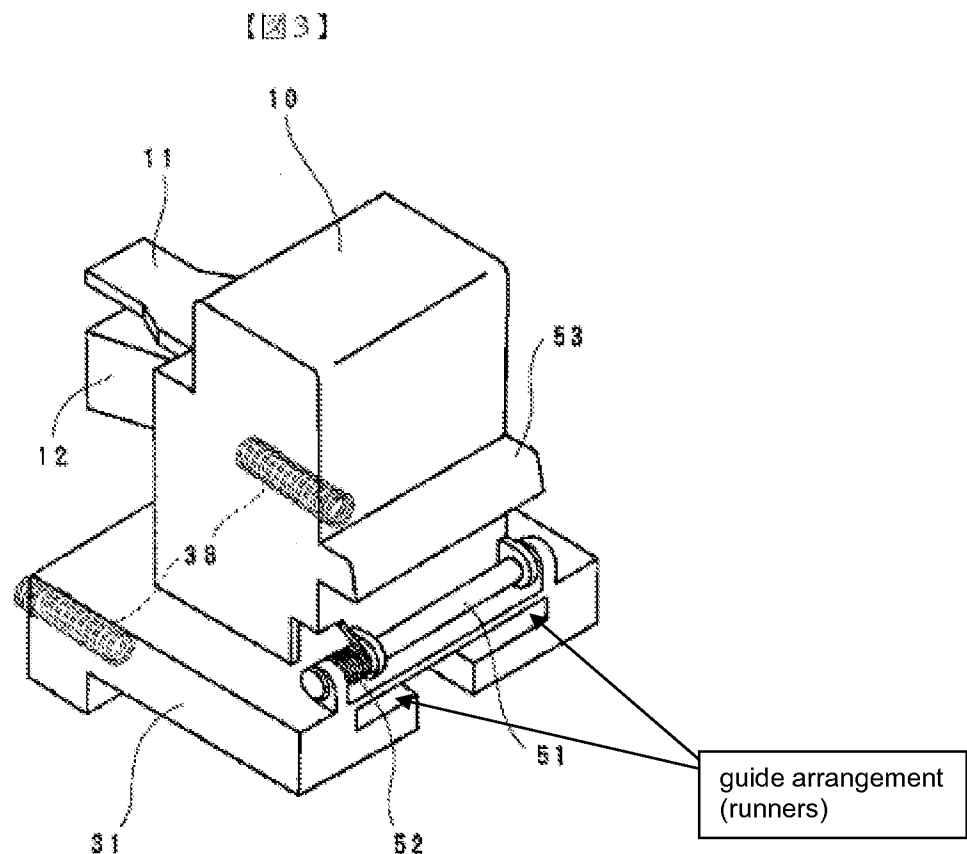


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In the above combination, when the first attachment member 31,32 is attached to the second attachment member 31,101 an electrical connection is formed between the first and second electrical connecting parts.

With respect to claim 7, Noguchi discloses the recited stapler except that he is silent on an electrical attachment member for electrically connecting the stapler to a power supply.

Noguchi discloses a stapler 1 comprising a first mechanical attachment member 31 including a guide arrangement for mechanically attaching the stapler to the photocopying equipment as shown below in the figure taken from Fig. 3 of Noguchi:



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As shown above, the guide arrangement includes guide runners integral with said first mechanical attachment member and disposed to engage corresponding portions of a second mechanical attachment member 30,101 on the photocopying equipment 100 when the stapler is mounted to the photocopying equipment 100 (see Fig. 2 of Noguchi).

Takada teaches a stapler D having a mechanical attachment member Ks as shown in Figs. 6 and 8 of Takada. The stapler D has an electrical attachment member 415 (see Fig. 5 of Takada) that connects to a power supply through electrical feed pin 414 on the photocopier (see Fig. 6 of Takada). It would have been obvious to combine the teaching of Takada with the stapler disclosed by Noguchi for the advantage of quickly and easily connecting a power supply to a removable stapler.

With respect to claim 8, Noguchi discloses that the first mechanical member includes part of a snap-action latch mechanism 32 to secure said first and second mechanical attachment members to each other so as to form an integral unit (see Fig. 2 of Noguchi).

With respect to claims 9-10, in the combination of Noguchi and Takada it would have been obvious to put the electrical connection part 415 (taught by Takada) attached to the first mechanical attachment member 31 (disclosed by Noguchi) disposed to make an electrical connection with a corresponding second electrical connecting part 414 on the photocopying machine (taught by Takada) since both Noguchi and Takada teach a sliding of the stapler towards a photocopying apparatus allowing an end of the stapler to abut the photocopying apparatus and make a plug electrical connection as taught by Takada.



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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Daniel J. Colilla** whose telephone number is **571-272-2157**. The examiner can normally be reached on M-F 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Judy Nguyen** can be reached at **571-272-2258**. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

April 1, 2009

/Daniel J. Colilla/  
Primary Examiner  
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